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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-43794-2024**Date of Decision: 19.12.2024**

Jai Parkash @ J.P.

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Vishal Yadav, Advocate
for the petitioner.

Mr. Arun Kumar, AAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.100 dated 09.05.2024 registered under Sections 148, 149, 323, 324, 506 of IPC (later on Section 326 of IPC added), at Police Station Rampura, District Rewari.
2. Learned counsel for the petitioner contends that no specific role or injury has been attributed to the petitioner. In fact, the petitioner was not present at the place of alleged occurrence. The petitioner was arrested in the present case on 04.06.2024 and is in custody since then. Even the injured has already been discharged from the hospital. After completion of investigation, challan has already been presented against the petitioner in the competent Court and no witness has been examined so far.



3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is a habitual offender and is facing trial in 10 more criminal cases.

4. I have heard the learned counsel for the parties and perused the record.

5. The petitioner was arrested in the present case on 04.06.2024 and is in custody for the last more than 06 months. Challan has already been presented before the competent Court. Moreover, similarly placed co-accused, namely, Parveen alias Poni alias Moni has been granted the concession of bail by this Court vide order dated 11.09.2024 passed in CRM-M-44039-2024 (Annexure P-3).

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.



- (iv) *The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*
- (v) *The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*
- (vi) *In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*
- (vii) *The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*
- (viii) *The petitioner shall report every 1st Monday in English calander month to the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the rojnamcha. In case, he does not report on every 1st Monday to the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Haryana shall be at liberty to move an appropriate application in this regard.*

19.12.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No